

REMARKS/ARGUMENTS

Claims 1, 19, and 42 have been amended. Claims 1-57 remain pending in the application. Applicants respectfully request reexamination and reconsideration of the application.

Claim 1 has been objected to. Applicants have amended claim 1 to make it consistent with the specification and the claim. It should be noted that this amendment was not made for patentability reasons.

Claims 1-7, 19-25, 37-39, 42, 54-50, and 55-57 have been rejected under 35 USC § 102 as anticipated by Figure 3B in the drawings, which is labeled "Prior Art." Claims 8-18, 26-36, 40, 41, and 51-54 have been rejected under 35 USC § 103 as being obvious in view of Figure 3B. Applicants respectfully traverse these rejections.

It is well established law that prior art anticipates a claim only if the prior art discloses *every element* of the claim. MPEP § 2131 ("To anticipate a claim, the reference must teach every element of the claim."). Citing *In re Van Geuns*, 988 F2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993), the Examiner correctly notes that the specification cannot be used to read limitations into the claims. It is equally true, however, that the specification cannot be used to read limitations out of the claim. In other words, regardless of what the specification says, if an element is stated in a claim, prior art anticipates the claim only if the prior art includes that element and every other element in the claim. See MPEP § 2131.

Independent claims 1 and 19 require that there be "a space between said daughter card and said substrate." In Figure 3B, there is no space between clamp 104 and PCB 102. Therefore, Figure 3B cannot anticipate independent claim 1 or 19.

Nor does Figure 3B render independent claims 1 or 19 obvious because nothing in Figure 3D suggests spacing clamp 104 apart from PCB 102. Dependent claims 2-18 and 20-41 depend from independent claim 1 or independent claim 19 and are therefore also patentable over Figure 3B.

The Examiner seems to suggest that a space between the daughter card and the substrate is not supported by the specification. The specification, however, shows several examples in which there is a space between the daughter card and the substrate. One such example is Figure 4E, which clearly shows a space between an exemplary daughter card 432b and an exemplary

substrate 402. Therefore, the specification fully supports claims that require a space between the daughter card and the substrate.

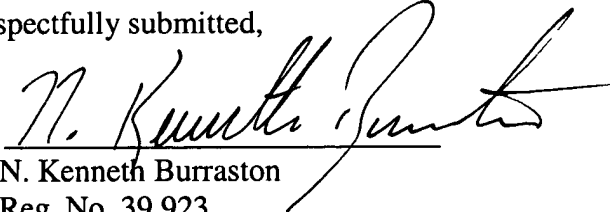
Independent claims 42 and 50 require that at least a portion of an electronic circuit be located on the daughter card. Again, Figure 3B does not show at least a portion of an electronic circuit on the clamp 104. Therefore, Figure 3B cannot anticipate independent claims 42 and 50.

Nor does Figure 3B render independent claims 42 or 50 obvious because nothing in Figure 3D suggests locating any portion of an electric circuit on clamp. Dependent claims 43-49 and 51-57 depend from independent claim 42 or independent claim 50 and are therefore also patentable over Figure 3B.

The Examiner cites passages in paragraph [0017] of the specification that, in describing Figures 4A-4E, state that portions of an electronic circuit may optionally be located other than on the daughter card, which is certainly true: portions of the electronic circuit may indeed be located off of the daughter card. What is said in paragraph [0017], however, is not relevant to whether Figure 3B anticipates claims 42 and 50. Because no portion of an electronic circuit is located on clamp 104 in Figure 3B, Figure 3B cannot anticipate independent claims 42 or 50 regardless of what the specification says in paragraph [0017].

In view of the foregoing, Applicants submit that the application is in condition for allowance. If the Examiner believes that a discussion with Applicants' attorney would be helpful, the Examiner is invited to contact the undersigned at (801) 536-6763.

Respectfully submitted,

By 
N. Kenneth Burraston
Reg. No. 39,923

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Parsons, Behle & Latimer PLC
P.O. Box 45898
201 South Main St., Suite 1800
Salt Lake City, Utah 84145-0898
Phone: (801) 536-6763
Fax: (801) 536-6111